## Case 23-12178-pmm Doc 58 Filed 05/24/24 Entered 05/25/24 00:34:21 Desc Imaged Certificate of Notice Page 1 of 5

United States Bankruptcy Court Eastern District of Pennsylvania

In re: Case No. 23-12178-pmm

Helen K Gay Chapter 13

Debtor

CERTIFICATE OF NOTICE

District/off: 0313-2 User: admin Page 1 of 2
Date Rcvd: May 22, 2024 Form ID: pdf900 Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol Definition

Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS

regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 24, 2024:

Recipi ID Recipient Name and Address

db + Helen K Gay, 1646 Ward Street, Marcus Hook, PA 19061-4244

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

### **BYPASSED RECIPIENTS**

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## **NOTICE CERTIFICATION**

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 24, 2024 Signature: /s/Gustava Winters

#### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 22, 2024 at the address(es) listed below:

Name Email Address

ANDREW L. SPIVACK

 $\mathsf{BRAD}\,\mathsf{J}.\,\mathsf{SADEK}$ 

on behalf of Debtor Helen K Gay brad@sadeklaw.com

bradsadek@gmail.com; sadek.bradj.r101013@notify.bestcase.com; documents@sadeklaw.com, and the compact of the

DENISE ELIZABETH CARLON

on behalf of Creditor Freedom Mortgage Corporation bkgroup@kmllawgroup.com

KENNETH E. WEST

ecfemails@ph13trustee.com philaecf@gmail.com

MARIO J. HANYON

on behalf of Creditor Freedom Mortgage Corporation wbecf@brockandscott.com mario.hanyon@brockandscott.com

MATTHEW K. FISSEL

 $on \ behalf \ of \ Creditor \ Freedom \ Mortgage \ Corporation \ wbecf@brockandscott.com \ matthew.fissel@brockandscott.com$ 

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District/off: 0313-2 User: admin Page 2 of 2
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MICHAEL H KALINER

on behalf of Creditor Teachers Federal Credit Union mhkaliner@gmail.com pa35@ecfcbis.com

MICHELE M. BRADFORD

on behalf of Creditor Teachers Federal Credit Union PABKAttorneyecf@orlans.com

SARAH K. MCCAFFERY

on behalf of Creditor Teachers Federal Credit Union smccaffery@pincuslaw.com ckohn@hoflawgroup.com

United States Trustee

USTPRegion03.PH.ECF@usdoj.gov

TOTAL: 10

### UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA Philadelphia Division

IN RE:	
HELEN K. GAY	Chapter 13
Debtor	Case No. 23-12178-PMM
TEACHERS FEDERAL CREDIT UNION	Ref. Dkt. Nos. 44 and 46
Movant	
v.	
HELEN K. GAY	
(Debtor)	
KENNETH E. WEST	
(Trustee)	
Respondents	

# CONSENT ORDER / STIPULATION AGREEMENT SETTLING MOTION FOR RELIEF FROM THE AUTOMATIC STAY

AND NOW, upon the Motion of Teachers Federal Credit Union ("Movant"), through its counsel, Orlans PC, for Relief from the Automatic Stay pursuant to Bankruptcy Code § 362 as to certain property, 2022 Kia Telluride (the "Property"), it is hereby agreed as follows:

Helen K. Gay ("Debtor") acknowledges that the post-petition arrearage is subsequent to 10/2023 as follows:

Payments (03/08/2024 @ \$519.90 each)	\$519.90
Payments (04/08/2024 @ \$694.80 each)	\$694.80
Attorney's fees/costs	\$1,249.00
Less Suspense	\$0.00
Total Post-Petition Arrears ("Arrears")	\$2,463.70

- 1. Debtor shall cure the Arrears as set forth above by paying One-Fifth (1/5) of the Arrears per month (\$410.62/month) for the next five (5) months and the last payment of the Arrears will be \$410,58, with said payments to begin on May 15, 2024, and the regularly monthly payment of \$694.78, to resume on May 8, 2024. In the event the regular monthly payment changes for any reason, then the amount due pursuant to this paragraph shall be adjusted accordingly. Thereafter, Debtor agrees to continue making the regular monthly mortgage payments.
- 2. Debtor shall send all payments due directly to Creditor at the address below:

Greenspoon Marder LLP 100 W. Cypress Creek Rd. Suite 700 Fort Lauderdale, FL 33309

- 3. In the event Debtor fails to make any of the payments set forth above on or before their due dates, Movant may give Debtor and Debtor's counsel notice of the default. If Debtor does not cure the default within fifteen (15) days of the notice, upon Certification of Default to the Court, and request for Order, with a copy to Debtor and Debtor's counsel, Movant shall be entitled to the entry of an Order granting it relief from the automatic stay.
- 4. The failure by the Movant, at any time, to file a Certification of Default upon default by the Debtor, shall not act as a waiver of any of Movant's rights hereunder.
- 5. Upon issuance of the aforesaid Order, the parties hereto further agree that Movant may proceed in state court to exercise all rights and remedies available to it as a mortgagee and creditor under state and federal law including, but not limited to, the initiation of and continuation of repossession/replevin and/or collections.
- 6. In the event Debtor converts this case to any other chapter of Title 11 of the U.S. Bankruptcy Code then Debtor shall pay all pre-petition arrears and post-petition arrears within 10 days from the date of conversion. If Debtor fails to make payments in accordance with this paragraph then the Movant, through Counsel, may file a Certification of Default to the Court, setting forth said failure and Movant shall be granted relief from the automatic stay.
- 7. It is further agreed that, in the event the stay is lifted, the 14-day stay provided by Rule 4001(a)(3) is hereby waived.
- 8. The undersigned parties request that the Court enter an Order approving this Consent Order/Stipulation and the terms therein.

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Seen and agreed by the parties on the date set forth below:

Date: May 21, 2024

Approved as to form and content:

/s/ LeeAne O. Huggins

Kenneth E. West Chapter 13 Trustee P.O. Box 40837

Philadelphia, PA 19107

Date: May 21, 2024

/s/ Brad J. Sadek

Brad J. Sadek

Attorneys for Debtor

1500 JFK Boulevard, Ste 220 Philadelphia, PA 19102 Email: brad@sadeklaw.com

Respectfully Submitted,

/s/ Michael H. Kaliner

Michael H. Kaliner, Esq. PA 28747

Orlans PC

Attorney for Teachers Federal Credit Union

200 Eagle Road, Bldg 2, Suite 120

Wayne, PA 19087 (484) 367-4191

Email: mkaliner@orlans.com File Number: 24-002955

AND NOW, this 22nd day of May, 2024, it is hereby ORDERED that this Stipulation Agreement between the parties is hereby approved.

Honorable Patricia M. Mayer

Patricia M. Mayer

U.S. Bankruptcy Judge